

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 62nd LEGISLATURE - REGULAR SESSION

COMMITTEE ON TRANSPORTATION

Call to Order: Chair Gordon Vance, on February 18, 2011 at 3:00 PM, in Room 455
Capitol

ROLL CALL

Members Present:

Rep. Gordon Vance, Chair (R)
Rep. Lee Randall, Vice Chair (R)
Rep. Carolyn Squires, Vice Chair (D)
Rep. Tom Berry (R)
Rep. Edward Greef (R)
Rep. Krayton Kerns (R)
Rep. Steve Lavin (R)
Rep. Matthew M. Rosendale Sr (R)
Rep. Diane Sands (D)
Rep. Frank Smith (D)
Rep. Kathy Swanson (D)

Members Excused: None

Members Absent: Rep. Elsie Arntzen (R)
Rep. Jerry O'Neil (R)

Staff Present: Stephanie Fletcher, Committee Secretary
Megan Moore, Legislative Branch

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: HB 579, 2/18/2011; HB 584, 2/18/2011; HB 588, 2/18/2011; HB 589, 2/18/2011; HB 594, 2/18/2011; HJR 17, 2/18/2011

Executive Action: HB 584, HJR 17
HB 594, HB 509
HB 579
HB 588
HB 589
HB 517

00:01:14 Chairman Vance

HEARING ON HB 594

Opening Statement by Sponsor:

00:01:32 Rep. Jon Sesso (D), HD 76, opened the hearing on HB 594, Require a recycled content in state contracts and highway construction.

Proponents' Testimony:

00:03:55 Matt Elsaesser, Save Foundation

[EXHIBIT\(trh40a01\)](#)

00:04:56 Jessie Luther, Montana Contractors Association

00:06:14 Tim Bailey, Tire Balers Incorporated

00:07:22 Rep. Arntzen came in.

00:07:26 Brad Giffin, Montana Tire Dealers Association

00:08:07 Kristi Blazer, Montana Beer and Wine Distributors

00:09:05 Director Jim Lynch, Montana Department of Transportation

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

00:11:53 Rep. Berry

00:12:21 Director Lynch

Closing by Sponsor:

00:13:46 Rep. Sesso

HEARING ON HB 579

Opening Statement by Sponsor:

00:14:39 Rep. Michele Reinhart (D), HD 97, opened the hearing on HB 579, Revise laws relating to commercial driver's license testing.

[EXHIBIT\(trh40a02\)](#)

Proponents' Testimony:

00:15:50 Michael Tree, Missoula Urban Transit District

[EXHIBIT\(trh40a03\)](#)

00:19:05 Nancy Wilson, Associated Students of the University of Montana, Office of Transportation

Opponents' Testimony:

00:21:07 Spook Stang, Executive Vice President, Motor Carriers of Montana

[EXHIBIT\(trh40a04\)](#)

Informational Testimony:

00:23:26 Brenda Nordlund, Motor Vehicle Division, Department of Justice

Questions from Committee Members and Responses:

00:26:17 Rep. Squires
00:26:28 Brenda Nordlund
00:26:41 Rep. Rosendale
00:26:55 Brenda Nordlund
00:27:07 Michael Tree
00:27:31 Rep. Rosendale
00:28:15 Rep. Reinhart
00:29:01 Chairman Vance

Closing by Sponsor:

00:29:08 Rep. Reinhart

HEARING ON HB 584

Opening Statement by Sponsor:

00:29:49 Rep. Robert (Bob) Mehlhoff (D), HD 26, opened the hearing on HB 584, Allow use of older license plates on motor vehicles.

Proponents' Testimony:

00:32:10 Rep. Gordon Hendrick

Opponents' Testimony: None

Informational Testimony:

00:33:38 Brenda Nordlund

Questions from Committee Members and Responses:

00:36:51 Rep. Arntzen
00:37:12 Brenda Nordlund
00:37:59 Rep. Greef
00:38:15 Brenda Nordlund

Closing by Sponsor:

00:39:40 Rep. Mehlhoff

00:41:04 Chairman Vance

HEARING ON HB 588

Opening Statement by Sponsor:

00:41:27 Rep. Mike Cuffe (R), HD 2, opened the hearing on HB 588, Revise local government water and sewer district laws.

Proponents' Testimony:

00:43:12 John Sinrud, Montana Landlords Association

[**EXHIBIT\(trh40a05\)**](#)

00:45:00 Rick Linafelter, Great Falls, President of the Montana Landlords Association

00:45:56 Sharon Lodge, President of Bozeman Landlords Association

00:47:13 Bill Semenza

Opponents' Testimony:

00:47:36 Steve Wade, Montana Rural Water Systems

00:49:31 Bob Murdo, self

00:54:19 Alec Hansen, League of Cities and Towns

Informational Testimony: None

Questions from Committee Members and Responses:

00:57:32 Rep. Squires

00:58:05 Alec Hansen

00:58:48 Rep. Squires

00:59:19 Alec Hansen

01:00:09 Rep. Squires

Closing by Sponsor:

01:00:55 Rep. Cuffe

HEARING ON HB 589

Opening Statement by Sponsor:

01:02:27 Rep. Mike Cuffe (R), HD 2, opened the hearing on HB 589, Revise residential landlord and tenant laws to address retaliatory actions.

01:03:06 Rep. Sands left the room.

Proponents' Testimony:

01:03:54 John Sinrud, Montana Landlords Association

[**EXHIBIT\(trh40a06\)**](#)

[**EXHIBIT\(trh40a07\)**](#)

01:05:10 Rep. Arntzen left the room.

01:06:17 Rep. Sands returned.

01:06:31 Rep. Arntzen returned.

01:07:42 Rick Linafelter

01:07:58 Sharon Lodge

01:08:16 Bill Simenza

Opponents' Testimony:

01:08:40 Mike Dills, Associated Students of University of Montana

01:19:37 Janelle Booth, Montana Associated Students

[**EXHIBIT\(trh40a08\)**](#)

Informational Testimony: None

Questions from Committee Members and Responses: None

Closing by Sponsor:

01:20:34 Rep. Cuffe

HEARING ON HJR 17

Opening Statement by Sponsor:

01:21:29 Rep. Wayne Stahl (R), HD 35, opened the hearing on HJR 17, Resolution supporting Monchy Morgan extended-hour port.

Proponents' Testimony:

01:23:07 Courtney Moles, Phillco Economic Growth Counsel

Opponents' Testimony: None

Informational Testimony:

01:24:08 Director Lynch

Questions from Committee Members and Responses:

01:25:00 Rep. Smith

01:25:18 Rep. Stahl

01:26:04 Rep. Smith

01:26:09 Rep. Stahl

Closing by Sponsor:

01:26:22 Rep. Stahl

01:27:10 Chairman Vance

01:27:57 Rep. Berry

01:28:07 Rep. Squires

01:46:51 Chairman Vance

EXECUTIVE ACTION ON HB 594

01:48:41 **Motion/Vote:** Rep. Randall moved that **HB 594 BE TABLED**. Motion carried unanimously by voice vote. Rep. O'Neil did not vote.

EXECUTIVE ACTION ON HB 579

01:49:22 **Motion/Vote:** Rep. Randall moved that **HB 579 BE TABLED**. Motion carried unanimously by voice vote. Rep. O'Neil did not vote.

EXECUTIVE ACTION ON HB 584

01:49:39 **Motion/Vote:** Rep. Randall moved that **HB 584 BE TABLED**. Motion carried unanimously by voice vote. Rep. O'Neil did not vote.

EXECUTIVE ACTION ON HB 509

01:50:09 **Motion/Vote:** Rep. Randall moved that **HB 509 BE TABLED**. Motion carried unanimously by voice vote. Rep. O'Neil did not vote.

EXECUTIVE ACTION ON HB 517

01:50:23 **Motion:** Rep. Randall moved that **HB 517 DO PASS**.

Discussion:

01:51:25 Rep. Smith

01:51:36 Megan Moore

01:52:08 **Motion/Vote:** Rep. Randall moved that **HB 517 BE AMENDED**.
Motion carried unanimously by voice vote. Rep. O'Neil did not vote.

EXHIBIT(trh40a09)

01:52:38 **Motion/Vote:** Rep. Randall moved that **HB 517 DO PASS AS AMENDED**.
Motion carried unanimously by voice vote. Rep. O'Neil voted by proxy.

EXECUTIVE ACTION ON HJR 17

01:53:00 **Motion/Vote:** Rep. Randall moved that **HJR 17 DO PASS**. Motion carried 12-1 by voice vote with Rep. Kerns voting no. Rep. O'Neil and Rep. Vance voted by proxy.

EXECUTIVE ACTION ON HB 588

01:54:00 **Motion:** Rep. Randall moved that **HB 588 DO PASS**.

Discussion:

01:54:26 Rep. Squires

01:55:30 Chairman Vance returned.

01:55:44 **Vote:** Motion failed 4-9 by roll call vote with Rep. Berry, Rep. Greef, Rep. Lavin and Rep. Smith voting aye. Rep. O'Neil voted by proxy.

01:57:01 **Motion/Vote:** Rep. Randall moved that **HB 588 BE TABLED AND THE VOTE REVERSED**. Motion carried unanimously by voice vote. Rep. O'Neil did not vote.

EXECUTIVE ACTION ON HB 589

01:57:15 **Motion:** Rep. Randall moved that **HB 589 DO PASS.**

Discussion:

01:57:35 Rep. Squires
01:58:48 Rep. Berry
01:58:56 Chairman Vance
01:59:01 Rep. Arntzen
02:00:05 Rep. Sands
02:00:32 Rep. Lavin
02:00:52 Rep. Squires
02:02:19 Rep. Arntzen
02:02:51 Rep. Smith

02:03:17 **Vote:** Motion failed 5-8 by roll call vote with Rep. Berry, Rep. Lavin, Rep. Randall, Rep. Smith and Rep. Vance voting aye. Rep. O'Neil voted by proxy.

02:04:20 **Motion/Vote:** Rep. Randall moved that **HB 589 BE TABLED AND THE VOTE REVERSED.** Motion carried unanimously by roll call vote. Rep. O'Neil did not vote.

EXECUTIVE ACTION ON HB 579

02:04:25 **Motion/Vote:** Rep. Vance moved to **RECONSIDER PREVIOUS ACTION** on **HB 579.** Motion carried unanimously by voice vote. Rep. O'Neil did not vote.

02:06:28 **Motion:** Rep. Randall moved that **HB 579 DO PASS.**

02:06:33 **Motion/Vote:** Rep. Randall moved that **HB 579 BE AMENDED.** Motion carried unanimously by voice vote. Rep. O'Neil did not vote.

EXHIBIT(trh40a10)

02:06:54 **Motion:** Rep. Randall moved that **HB 579 AS AMENDED.**

02:06:58 **Vote:** Motion carried unanimously by voice vote. Rep. O'Neil did not vote.

02:07:15 **Motion/Vote:** Rep. Randall moved to **RECONSIDER PREVIOUS ACTION** on **HB 579.** Motion carried unanimously by voice vote. Rep. O'Neil did not vote.

02:07:30 Chairman Vance
02:07:42 Rep. Smith
02:09:08 Rep. Arntzen
02:09:26 Chairman Vance

ADJOURNMENT

Adjournment:

02:09:56 Chairman Vance

Stephanie Fletcher, Secretary

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Extra Exhibit

EXHIBIT([trh40a11](#))

Additional Documents:

EXHIBIT([trh40aad.pdf](#))